

**C. HEARING REQUEST** [see WAC 388-08-413]**CLARIFYING INFORMATION**

1. Either the client or their representative may request a hearing. The request must be made within 90 days of the date of the decision. Decisions regarding the timeliness of a hearing request are the responsibility of the ALJ. All hearing requests should be forwarded for scheduling regardless of the date of the request. [See RCW 74.08.080]
2. The request does not need to be in any particular form and can be made verbally or in writing.
3. The request can be made to any responsible department employee.
4. The request should include the decision being appealed and why the client is dissatisfied with the decision. However, any request indicating dissatisfaction with a department decision should be treated as a hearing requests.
5. Requests sent via campus mail go to the Office of Administrative Hearings, MS 42489. Request can be mailed to the Office of Administrative Hearings, PO Box 2465, Olympia, WA 98504-2465

**WORKER RESPONSIBILITIES****FSS/CASE MANAGER**

1. Respond to and document in the ACES narrative any contact made by a client regarding an adverse department decision.
2. Explain the reasons for the decision
3. Describe the rules that apply to the decision
4. Offer a supervisor conference as appropriate to try and resolve the issues
5. Inform the client of their right to a fair hearing
6. Give or mail the client the pamphlet, How to Request a Hearing, DSHS 22-092(X)

and a Request for Fair Hearing, DSHS 5-013(X).

7. Transfer a verbal request to a DSHS 5-013(X)- Request for Fair Hearing. If the form is not available, complete a memo to the FHC giving the specifics of the request.
8. Forward hearing requests to the FHC for action.

**FAIR HEARING COORDINATOR: [For a summary of all the responsibilities of the FHC, see subsection, Role of FHC]**

1. Maintain record of all fair hearing requests until scheduled.
2. Contact client to clarify request if necessary.
3. If the client is NSA, include a copy of Accommodation plan with the hearing request.
4. If the client is LEP, include primary language information with the hearing request.
5. Forward all fair hearing requests to the OAH for scheduling.
6. Document hearing request in ACES narrative.
7. Follow up with the OAH if a hearing date is not received within 10 days.